

**REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

Claim 1 and 6 have been amended to clarify that the capture template is used to acquire content from disparate content sources. This amendment is supported by the specification as filed, for example paragraph 0039. Accordingly, no new matter is added by this amendment.

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**A. Claims 1, 2, 4, 6, 7 and 9 are patentable over Whitledge in view of Spyglass Prism because neither of these references teaches or suggests acquiring data from disparate content sources using the capture templates to control the acquisition process, as claimed.**

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Whitledge (U.S. Patent No. 6,925,595) describes a method and system for extraction and conversion of hypertext electronic document elements for display on user devices using data mining conversion operations. Hypertext content conversion is accomplished by creating a document object model from a hypertext document; extracting one or more hypertext elements from the document object model using data mining expressions; converting the extracted hypertext elements; and creating second hypertext electronic document using the converted hypertext elements and a document template. (Whitledge Col. 34 lines 8-37)

Amended claims 1 and 6 recite **“acquiring ... data from the disparate content sources using the created capture templates to control the acquisition ... process”**, which is not taught by Whitledge. In particular, the “DOM\_TEMPLATE” document templates described by Whitledge (see, e.g., col. 26, lines 22-34) play no role in controlling any data acquisition from disparate content sources. Instead, these document templates are used simply to create a hypertext electronic document using previously extracted hypertext elements. (Whitledge Col. 34 lines 29-35, Table 23). They are not used for acquiring content from disparate content sources and thus are significantly different from the capture templates recited in claims 1 and 6

The Office Action further cites col. 31, lines 29-41 and Table 23 for teaching a template that is used to capture content. Table 23 just illustrates a HTML document template which refers to data mining conversion variables from Table 22. There is no suggestion in Whitledge that this HTML

document template is used for acquiring data from the disparate content sources. In fact, in Whitledge, the proxy server acquires the original hypertext electronic document and passes it to the content converter, which then converts this document. (Whitledge col 4, lines 57-67, Fig. 2). The HTML document template does not control this acquisition process. Thus, claims 1 and 6, and their respective dependent claims, are patentable over Whitledge.

Adding the teachings of "Spyglass Prism: Concepts and Applications", fails to cure Whitledge's deficiencies. The Spyglass Prism reference describes translation of richly formatted web content, like tables, JPEG's, etc., into formats that match the relatively limited display capabilities on many mobile devices. (Spyglass Prism, Page 1-2). This reference does not, however, teach or suggest the creation of capture templates that would harvest content from disparate content sources on multiple platforms. Hence, combining the teachings of Spyglass Prism with those of Whitledge would not yield a scheme in which capture templates are used to acquire content from disparate content sources on multiple platforms as recited in claims 1 and 6. Therefore, for at least these reasons, claims 1 and 6, and their respective dependent claims, are patentable over the combination of Whitledge and Spyglass Prism.

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**B. The remaining dependent claims are patentable over Whitledge and Spyglass Prism, even when considered in combination with Lonnroth and Arens.**

*Claims 3 and 8*

Claims 3 and 8 were rejected as being unpatentable over Whitledge in view of Spyglass Prism and further in view of Lonnroth, U.S. Patent No. 6,826,597.

Lonnroth discusses a system and method for providing clients with services to retrieve data from data sources that do not necessarily support the protocol and format required by the clients. (Lonnroth Abstract). This scheme does not involve the creation and use of capture templates to harvest content from disparate content sources on multiple platforms as recited in claims 1 and 6. Instead, intermediate response XML documents are created from received HTML content, those

documents are filtered by selectively removing content according to filtering rules, and an XSL styling sheet is applied to format the response document according to another set of rules associated with the style sheet. (Lonnroth Abstract). Neither the response XML document nor the XSL styling sheet described by Lonnroth can be considered a capture template created to acquire content as recited in the present claims.

Thus, adding the teachings of Lonnroth to those of Whittlege and Spyglass Prism would not alter the conclusions of patentability with respect to claims 1 and 6 set forth above. Because these independent claims would remain patentable over the combination of references it follows that dependent claims 3 and 8 would likewise be patentable over these references.

#### *Claims 5 and 10*

Claims 5 and 10 are rejected as being unpatentable over Whittlege in view of Spyglass Prism and further in view of Arens, "Intelligent Caching: Selecting, Representing, and Reusing Data in an Information Server", which discusses caching results of queries and how to use such cached results for future queries. Arens, however, does not describe the creation and use of capture templates to harvest content by acquiring and extracting data under the control of the capture templates as recited in independent claims 1 and 6 and the Office Action does not contend otherwise. Hence, the patentability of independent claims 1 and 6, and by implication their respective dependent claims 5 and 10, is not affected by adding the teachings of Arens. Stated differently, these claims remain patentable for at least the reasons set forth above.

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#### **C. Contrary to the conclusions set forth in the Office Action, claims 59 and 60 are patentable, over Whittlege in view of Lee.**

Independent claim 59 includes the feature of harvesting content and media assets based on acquisition rules stored in a repository. Whittlege does not have any provision to harvest content and media assets based on acquisition rules stored in a repository. In fact, the conversion process gets

started in Whitledge when the proxy server receives a request for an original electronic document from a first network device. (Whitledge Fig. 4A, Step 52). Thus, the harvesting of hypertext electronic document in Whitledge is not based on acquisition rules stored in a repository but rather on a request from a networked device. The Office Action admits that "Whitledge does not teach expressly acquisition rules stored in a repository."

Adding the teachings of Lee (US Publication 2001/0054031) fails to cure Whitledge's deficiencies. Lee describes a computerized system for accumulating/updating postal address information in a database by capturing text strings from mail pieces using image capture means. (Lee Para 0002, Claim 1). Lee does not, however, teach or suggest harvesting content and media assets based on acquisition rules stored in a repository. The acquisition of addresses as images from postal mail is done by an image capture device, not by acquisition rules stored in a repository. (Lee Claim 1). The acquisition rules discussed in Lee are to execute a SQL query at the local capture site to extract learning candidates. (Lee Para 0051).

Cited paragraph 0002 from Lee just states that acquired address information from mail is associated with pre-existing delivery point address information in the database. Thus, it does not suggest acquisition rules used for harvesting. The acquisition rules mentioned in cited paragraph 0049 from Lee is to extract learning candidates and those rules are not the rules that define how content can be harvested from mail. In fact, Lee uses OCR to capture mail images rather than any acquisition rules. (Lee Para 0048). It just uses the acquisition rules to extract the required information to update its database. So the acquisition rules in Lee are more like extraction rules rather than acquisition rules used for harvesting content. Hence, combining the teachings of Lee with those of Whitledge would not yield a scheme which enables **harvesting content and media assets based on acquisition rules stored in a repository** as recited in claim 59. Therefore, for at least these reasons, claim 59, and its respective dependent claims, is patentable over the combination of Whitledge and Lee.

For all of the foregoing reasons, the claims are patentable over the references cited in the Office Action. If there are any additional fees due in connection with this communication, please charge our deposit account no. 19-3140.

Respectfully submitted,

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Dated: July 24, 2007

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